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PLANNING BOARD
GRAFTON, MA

PLANNING DEPARTMENT

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Date: July 19, 2018
To: Planning Board
From: Joe Laydon, Town Planner 
Re: Comments for Johnny's Auto Special Permit 20018-11

The Applicant has submitted an application to install a new freestanding sign to replace the existing at 277 Upton Street. Details of the application regarding the proposed sign and requested relief are as follows:

1. Area: Proposed 54 sq. ft. sign
2. Setback: Proposed 12 feet from property line.
3. Height: 11 feet total (2-foot base and 9 feet tall)
4. Illumination: Internally Lit
5. Zoning: Agricultural/Residential District
6. Frontage: 329 +/- feet
7. Existing Use of Property: Automotive Repair

The application proposes the installation of a sign to replace the existing sign. The existing sign is located at the property line and is externally lit. The dimensions of the sign appear to be 9 feet tall by 4 feet tall. Dimensions on existing sign were not provided in application. Staff will ask Applicant for measurements for hearing.

The bylaw requires that signs in the Agr/Res District may be no larger than 2 square feet in area. While the existing sign does not comply with current zoning, prior to 1986 the property was zoned commercial and used for auto repair prior to the zoning change.



EXHIBIT 7

The Planning board on July 7, 1986 issued site plan approval for the construction of a new 120' x 50' building at 277 Upton Street. The ZBA also issued approval for the extension of a pre-existing non-conforming use in its decision dated July 15, 1986. The Building Department is currently researching whether a sign permit was issued for the existing sign, and any information will be provided to the Board during the hearing.

The Applicant is requesting relief under Section 4.4.4 of the Sign Bylaw. The following is an excerpt from Section 4.4.4.

Excerpt from 4.4.4: Such relief may be granted in cases where either extreme or unusual conditions exist or enforcement of the By-Law would involve practical difficulties or unnecessary hardship, provided in each case desirable relief may be granted without substantially derogating from the intent and purpose of this Bylaw.

The remainder of Section 4.4.4 requires the Board to make nine findings in addition to requiring issuing ten findings in Section 1.5.

The proposed sign is in compliance with the requirements for freestanding signs within non-residential zoning districts. There are two items that I would like to draw to your attention; sign height and occupation of area between 2 ½ feet and 7 feet in height.

The sign is proposed at 11 feet in height. The bylaw requires that the signs be no taller than "10 feet in height above the ground, excepting that they may increase one (1) foot above ten (10) feet for each two (2) feet they are set back from the front lot line." Therefore, since the proposed sign is to be set back 12 feet from the front lot line, the total height of the sign may be 16 feet in height, above the proposed 11 feet.

The second bylaw provision that should be examined, is whether the proposed sign presents an obstacle for sight distance. The Applicant and the Board can consider this provision two ways. First, the proposed sign could be altered to not occupy the area between 2 ½ feet and 7 feet in height. This would push the total height up to the permitted height of 16 feet as measured 12 feet from the front lot line. Staff is of the opinion that the sign would be taller than necessary to comply with this provision because the proposed sign is located in a manner that it will not obstruct traffic (see Section 4.4.2.5.9). Since the sign is proposed to be 12 feet back from the front lot line, the result is that the sign will be approximately 15 feet back from the edge of the travelled way. Since Upton Street is straight, the sign will not present any issues from a sight distance perspective (see photo below).

In the following photo, the picture was taken from approximately 12 feet back from the edge of the travel way from the window of my car. Height of the picture taken was approximately 3 ½ feet. It was possible to see cars approaching the driveway and as a reference point I noted there were approximately three telephone poles. Using the Town's GIS (see screenshot), I was able to locate the three polls and measured the distance at approximately 410 feet, well in excess of the AASHTO stopping sight distance of 305 feet required for 40 MPH posted roads. Since the proposed sign is going to be further away from the existing sign (to the left of the picture), I am of the opinion that it will not impact sight distance.



I am of the opinion that Section 4.4.4 provides the Board with the flexibility to consider the Special Permit Request for the sign for Johnny's Automotive Service. Given the pre-existing non-conforming nature of the existing use and the benefits associated with replacing an existing non-conforming sign, the issuance of findings allows for the Board to establish why the requested relief is unique and appropriate in this specific application.

Thank you.